

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Gordon R. Hendrick, on March 4, 2011 at 3:00 PM, in Room 472  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Brian Hoven, Vice Chair (R)  
Rep. Dick Barrett (D)  
Rep. Gerald (Jerry) Bennett (R)  
Rep. Virginia Court (D)  
Rep. Kelly Flynn (R)  
Rep. Alan Hale (R)  
Rep. Bill Harris (R)  
Rep. Cleve J. Loney (R)  
Rep. Mike Miller (R)  
Rep. Wendy Warburton (R)  
Rep. Kathleen Williams (D)

**Members Excused:** Rep. Gordon R. Hendrick, Chair (R)  
Rep. Pat Connell (R)

**Members Absent:** Rep. Betsy Hands, Vice Chair (D)  
Rep. Michele Reinhart (D)

**Staff Present:** Lauren Head, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 103, 2/23/2011

Executive Action: HB 568, HJ 11

**HEARING ON SB 103****Opening Statement by Sponsor:**

00:01:25 Sen. Verdell Jackson (R), SD 5, opened the hearing on SB 103, Water permit exemption for heating and cooling applications.

[EXHIBIT\(nah49a01\)](#)

[EXHIBIT\(nah49a02\)](#)

**Proponents' Testimony:**

00:05:27 Thor Jackola, self

00:07:51 Terry Kramer, self

00:08:22 Rep. Hands joined the meeting.

00:09:51 Dustin Stewart, Executive Director, Montana Building Industry Association (MBIA)

00:11:22 Ronda Wiggers, Montana Water Well Drillers Association (MWWDA)

00:12:38 Tim Davis, Water Resources Division Administrator, Department of Natural Resources and Conservation (DNRC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:13:54 Rep. Hands

00:15:09 Mr. Davis

00:16:13 Rep. Hands

00:16:22 Mr. Davis

00:16:26 Rep. Reinhart joined the meeting.

00:16:51 Rep. Miller

00:17:05 Mr. Davis

00:17:27 Rep. Miller

00:17:52 Mr. Jackola

00:18:22 Rep. Miller

00:18:29 Mr. Jackola

00:18:44 Rep. Barrett

00:19:23 Mr. Davis

00:19:56 Rep. Barrett

00:20:22 Mr. Davis

00:21:13 Rep. Williams

00:21:37 Sen. Jackson

00:22:34 Rep. Williams

00:22:49 Sen. Jackson

00:23:21 Mr. Davis

00:23:57 Rep. Williams

00:24:21 Mr. Davis

00:24:54 Rep. Flynn

00:25:23 Mr. Jackola  
00:25:56 Rep. Flynn  
00:26:20 Mr. Jackola  
00:26:55 Rep. Loney  
00:27:11 Mr. Kramer  
00:27:59 Rep. Hands  
00:28:33 Mr. Davis  
00:29:34 Rep. Hale  
00:29:50 Mr. Davis  
00:30:30 Rep. Court  
00:31:19 Mr. Stewart  
00:31:37 Chairman Hendrick joined the meeting.  
00:32:22 Rep. Warburton  
00:32:42 Mr. Davis  
00:33:02 Rep. Warburton  
00:33:14 Ms. Wiggers  
00:34:04 Rep. Hands  
00:34:25 Rep. Connell joined the meeting.  
00:34:47 Vice Chair Hoven  
00:35:06 Mr. Jackola  
00:35:20 Vice Chair Hoven  
00:35:39 Mr. Davis

**Closing by Sponsor:**

00:36:14 Sen. Jackson  
  
00:40:34 Rep. Reinhart  
00:40:39 Chairman Hendrick  
00:40:44 Sen. Jackson  
00:40:58 Chairman Hendrick  
00:42:01 Rep. Hands  
00:42:20 Chairman Hendrick  
00:42:25 Rep. Hands  
00:42:33 Chairman Hendrick  
00:42:39 Rep. Barrett  
00:42:51 Rep. Hands  
00:42:59 Rep. Barrett  
00:43:08 Chairman Hendrick

**EXECUTIVE ACTION ON HJ 11**

00:44:17 **Motion:** Rep. Hoven moved that **HJ 11 DO PASS.**

**Discussion:**

00:44:29 Joe Kolman, Legislative Services Division (LSD)  
00:45:22 Rep. Harris  
00:46:55 Rep. Warburton

00:47:41 Chairman Hendrick  
00:48:43 Rep. Reinhart  
00:51:03 Chairman Hendrick  
00:52:04 Rep. Williams  
00:52:14 Rep. Miller left the meeting.  
00:53:28 Rep. Barrett  
00:55:57 Rep. Miller rejoined the meeting.  
00:57:18 Rep. Harris  
00:58:26 Rep. Flynn

00:59:35 **Vote:** Motion failed 5-10 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting aye.

01:00:28 **Motion/Vote:** Rep. G. Bennett moved that **HJ 11 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

01:00:44 Rep. Connell  
01:01:38 Rep. Hale

#### **EXECUTIVE ACTION ON HB 568**

01:01:54 **Motion:** Rep. Hoven moved that **HB 568 DO PASS**.

#### **Discussion:**

01:02:05 Mr. Kolman  
01:03:03 Rep. Hands  
01:03:26 Mr. Kolman  
01:04:06 Rep. Connell  
01:04:49 Rep. Flynn

01:05:25 **Motion:** Rep. Hoven moved that **HB 568 BE AMENDED**.  
**[EXHIBIT\(nah49a03\)](#)**

#### **Discussion:**

01:05:51 Mr. Kolman  
01:06:09 Rep. Miller  
01:06:23 Rep. Barrett  
01:07:20 Rep. Reinhart  
01:07:55 Rep. Warburton  
01:08:19 Rep. Connell  
01:08:53 Rep. Harris  
01:09:29 Rep. Flynn

01:10:00 **Vote:** Motion failed 7-8 by roll call vote with Rep. Bennett, Rep. Flynn, Rep. Hale, Rep. Harris, Rep. Hendrick, Rep. Loney and Rep. Warburton voting aye.

01:11:16 Rep. Barrett  
01:12:58 Rep. Flynn  
01:14:07 Chairman Hendrick  
01:14:50 Rep. Hands  
01:16:03 Rep. Court  
01:16:53 Rep. Harris  
01:18:10 Rep. Loney  
01:18:33 Rep. Williams  
01:19:51 Rep. Hale  
01:20:11 Rep. Connell

01:20:52 **Vote:** Motion carried 9-6 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Miller, Rep. Reinhart and Rep. Williams voting no.

01:21:57 Rep. Barrett

**ADJOURNMENT**

01:22:55      Adjournment

---

Lauren Head, Secretary

lh

Additional Documents:

**EXHIBIT([nah49aad.pdf](#))**